

Message Text

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ORIGIN ARA-14

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C O N F I D E N T I A L STATE 116093

E.O. 11652: GDS

TAGS: SHUM, BL

SUBJECT: RESPONSE TO CRITIQUE OF HUMAN RIGHTS REPORT

1. ABOUT A MONTH AGO DEPARTMENT POUCHED COPY OF HUMAN RIGHTS REPORT CRITIQUE ISSUED BY THE COALITION FOR A NEW FOREIGN AND MILITARY POLICY. CRITIQUE WAS PREPARED BY THE WASHINGTON OFFICE ON LATIN AMERICA (WOLA) AND EMBASSY MAY HAVE RECEIVED ITS COPY SHOWING WOLA AS AUTHOR.

2. THE FOLLOWING ARE DEPARTMENT ANSWERS TO SPECIFIC ITEMS IN THE CRITIQUE. THE ANSWERS HAVE BEEN PREPARED FOR INTERNAL DEPARTMENT USE AND ONLY THE GENERAL THRUST WILL BE SHARED WITH WOLA OR THE "COALITION". POST MAY WISH TO COMMENT ON OR MAKE ADDITIONS TO THE RESPONSE.

3. QUOTE: WOLA STATES THAT "WHETHER THE SHIFTS NOW TAKING PLACE REPRESENT A FUNDAMENTAL SHIFT IN POLICY, AS THE STATE DEPARTMENT MAY WANT TOO EAGERLY TO BELIEVE, OR MERELY A MOMENTARY RESPONSE TO INTERNATIONAL AND INTERNAL POPULAR PRESSURE, CAN ONLY BE ASSESSED AFTER
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THE JULY ELECTION".

ARA AGREES THAT ONLY THE FUTURE WILL TELL WHETHER RECENT SHIFTS IN GOB POLICY WILL PROVE FUNDAMENTAL. OF

COURSE THE DEPARTMENT HOPES FOR A FUNDAMENTAL IMPROVEMENT IN BOLIVIAN HUMAN RIGHTS. MEANWHILE, WE ARE TRYING TO

AVOID WISHFUL THINKING AND UNDUE OPTIMISM OR PESSIMISM.
THE REPORT AVOIDED MAKING PREDICTIONS.

WOLA MAINTAINS THAT THE "DEPARTMENT'S ANXIOUSNESS TO MISREAD CURRENT DEVELOPMENTS" IS REPRESENTED BY THE REPORT'S OVERESTIMATION OF THE EXTENT OF THE FIRST AMNESTY, WHICH ACCORDING TO WOLA, "ALLOWED ONLY A FEW EXILES TO RETURN AND RELEASED A FEW POLITICAL PRISONERS." TO SUPPORT ITS ASSERTION, WOLA QUOTES THE BOLIVIAN PERMANENT ASSEMBLY ON HUMAN RIGHTS AS DECLARING THAT THE FIRST AMNESTY WAS "SO LIMITED THAT IT DOES NOT DESERVE THE NAME OF AMNESTY".

THE FACTS OF THE MATTER ARE THE FOLLOWING: THE AMNESTY, LARGE OR SMALL, WAS A NEW DEVELOPMENT WITHIN THE CURRENT BOLIVIAN GOVERNMENT. DURING THE FIRST AMNESTY, OF THE 52 POLITICAL PRISONERS HELD BY THE GOB, 33 WERE RELEASED AND THE REMAINING 19 WERE REMANDED TO THE COURTS FOR POSSIBLE TRIALS ON CRIMINAL CHARGES. THE PERCENTAGES IN THIS CASE WOULD APPEAR TO REPRESENT QUITE A BIT MORE THAN "A FEW". AS FOR EXILES, THE GOB ANNOUNCED DURING THE FIRST AMNESTY THAT THERE WERE 632. OF THAT NUMBER, 348 WERE NOT ALLOWED TO RETURN FOR THE TIME BEING. AT THE TIME OF THE ANNOUNCEMENT, MINISTER OF INTERIOR JIMENEZ POINTED OUT THAT THE BOLIVIAN PERMANENT ASSEMBLY ON HUMAN RIGHTS CLAIMED THAT THERE

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WERE 19,000 EXILES (INCLUDING VOLUNTARY DEPARTURES) AND HE ADDED THAT IF THAT WAS THE CASE, THEN ALL BUT THE 348 COULD RETURN. BY THE ASSEMBLY'S OWN ACCOUNTING, WELL OVER 18,000 PEOPLE WERE FREE TO RETURN UNDER THE FIRST AMNESTY.

WOLA CRITICIZED THE REPORT FOR NOT EXPLAINING THE MOTIVATION OF A HUNGER STRIKE BEGUN BY WOMEN WHO WERE PROTESTING THE LIST OF EXCEPTIONS TO THE FIRST AMNESTY. THE REPORT DID NOT GIVE A DETAILED ACCOUNT OF THE EVENTS SURROUNDING THE STRIKE, BUT IT DID MAKE A CLEAR CONNECTION BETWEEN THE STRIKE AND THE AMNESTY ISSUE BY EXPLAINING THAT THE STRIKE PROMPTED THE GOB TO EXPAND THE AMNESTY AND MAKE IT ALL-INCLUSIVE.

WOLA POINTS OUT THAT THE HUMAN RIGHTS REPORT FAILED TO MENTION "THE WIDESPREAD CONCERN EXPRESSED BY THE PERMANENT ASSEMBLY AND OTHER ORGANIZATIONS INSIDE AND OUTSIDE BOLIVIA THAT EXPECTATIONS RAISED BY THE SUCCESS OF THE HUNGER STRIKE AND OTHER CONCESSIONS BY THE GOVERNMENT

WILL NOT BE FULFILLED BY THE BANZER REGIME".

AS NOTED ABOVE, THE COURSE OF FUTURE EVENTS IN BOLIVIA CANNOT BE FORESEEN. CLEARLY THERE IS CONCERN AND SKEPTICISM AMONG MANY BOLIVIANS.

WOLA ASSERTS THAT "CONTRARY TO THE ASSERTION OF THE STATE DEPARTMENT REPORT, TORTURE AND CRUEL MISTREATMENT OF PRISONERS BEYOND THE INITIAL INTERROGATION PERIOD HAVE BEEN REPORTED, INCLUDING TWO CASES CITED BY AMNESTY INTERNATIONAL IN ITS 1977 REPORT".

THE REPORT NOT ONLY NOTED THAT INFORMED BOLIVIAN HUMAN RIGHTS PROPONENTS HAD ALLEGED TORTURE DURING INITIAL INTERROGATIONS, BUT IT ALSO REFERRED TO OTHER CASES OF CONFIDENTIAL

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BRUTAL TREATMENT OF PRISONERS. THE REPORT STATED THAT "WHEN IT OCCURS, MISTREATMENT IS MOST LIKELY DURING INITIAL INTERROGATION...", BUT IT DID NOT RULE OUT THE POSSIBILITY OF SUCH MISTREATMENT SUBSEQUENTLY.

BECAUSE IT WAS FELT REFERENCES TO AMNESTY INTERNATIONAL HAD BEEN EXCESSIVE IN HUMAN RIGHTS REPORTS OF THE PREVIOUS YEAR A CONSCIOUS EFFORT WAS MADE TO REDUCE SUCH REFERENCES THIS YEAR. MOREOVER, IT IS DIFFICULT TO SUBSTANTIATE ALLEGATIONS OF TORTURE. NEVERTHELESS, IT MIGHT WELL HAVE BEEN USEFUL TO INCLUDE SPECIFIC REFERENCES TO THE TWO CASES CITED IN THE AMNESTY INTERNATIONAL REPORT 1977.

WOLA CRITICIZES AS "PARTICULARLY ALARMING" THE OMISSION FROM THE REPORT OF ANY REFERENCE TO COOPERATION BETWEEN CHILEAN AND BOLIVIAN SECURITY FORCES.

ARA AGREES IT WOULD HAVE BEEN USEFUL TO MENTION THE EXILING OF BOLIVIAN MINERS AND UNION LEADERS TO REMOTE PARTS OF CHILE, EVEN THOUGH THIS OCCURRED IN 1976. END QUOTE. CHRISTOPHER

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